

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES OF AMERICA,

v.

YARDLEY PAYNE,

Defendant.

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**CASE NO:
7:23-cr-65—WLS-AGH**

ORDER

On October 12, 2025, Peter L. Martin, United States Probation Officer, via memorandum, requested a continuance of Defendant Yardley Payne’s sentencing hearing currently scheduled for October 29, 2025. The continuance is requested to review and revise Defendant’s criminal history convictions, in particular a prior Aggravated Assault conviction that is expected to increase Defendant’s guideline imprisonment range. Mr. Martin represents that he has advised the parties’ counsel of this potential impact, and they agree to the continuance of the sentencing hearing to allow time for counsel and the parties to review any revised information and to file any additional objections that may be appropriate. Mr. Martin states that rescheduling the sentencing hearing to November or December 2025 will allow sufficient time for a thorough investigation to be completed and disclosed in time for other parties to review prior to a rescheduled sentencing hearing. Finally, Mr. Martin states that Defendant has been in federal custody since August 17, 2023. However he is facing a lengthy term of imprisonment and based on an initial guideline calculations, the danger of an over-service of confinement is unlikely.

This Court is required by Federal Rule of Criminal Procedure 32(b)(1) to “impose a sentence without unnecessary delay.” On July 24, 2025, a jury found Defendant guilty of Possession of a Firearm by a Convicted Felon and Possession of a Firearm by a Drug User. Defendant’s sentencing has not previously been continued. Based on the circumstances of this case and the requirements set forth in 18 U.S.C. § 3553(a), including to impose a sentence that

is “sufficient, but not greater than necessary,” to serve the purposes of sentencing the Court finds that a continuance of Defendant’s sentencing in this matter is appropriate.

Accordingly, it is hereby **ORDERED** that Yardley Payne’s sentencing hearing scheduled to take place on October 29, 2025, is **CANCELLED**. Defendant’s sentencing hearing shall be rescheduled by a separate Order of this Court.

SO ORDERED, this 23rd day of October 2025.

/s/W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT